



88622

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Beckstrom

Confirmation No. 5983

Serial No.: 10/675,371

Art Unit: 2161

Filed: 9/30/2003

Examiner: Daye, Chelcie L.

For: DATA SESSION NOTIFICATION
MEANS AND METHOD

Attorney Docket No. 6065-88622

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(b)

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313

Sir or Madam:

In response to an Office Action dated March 30, 2005, applicant, through their attorneys, submit the subject Terminal Disclaimer Under 37 C.F.R. §1.321(b). Applicant and assignee note the Examiner's statement that a timely filed terminal disclaimer may overcome an actual or provisional rejection based on a non-statutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. The undersigned attorney submits on behalf of applicant, Robert Beckstrom and assignee, Rockwell Electronic Commerce Technologies, LLC, a terminal disclaimer showing common ownership of the subject patent application and Application Serial No. 10/259,356, Filed September 27, 2002.

On behalf of applicant and assignee, the undersigned attorney represents that assignee owns the entire right, title and interest in the subject matter disclosed in the above-identified patent application. Applicant's attorney also represents that assignee owns the entire right, title and

interest in the subject matter disclosed in Application Serial No. 10/259,356, Filed September 27, 2002.

Applicant and assignee hereby disclaim the terminal part of any patent granted on the above-identified patent application which would extend beyond the expiration date of any patent granted on commonly owned patent Application Serial No. 10/259,356, Filed September 27, 2002.

Applicant and assignee acknowledge that any patent granted on the subject application shall be enforceable only for and during such period that said patent application is commonly owned with any patents granted on commonly-owned patent Application Serial No. 10/259,356, Filed September 27, 2002.

Applicant and assignee do not disclaim any terminal part of any patent granted on the above-identified patent application prior to the expiration date of the full statutory term of any patent granted on Application Serial No. 10/259,356, Filed September 27, 2002 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally declaimed under 37 CFR §1.321(a), has all claims cancelled by reexamination certificate, or is otherwise terminated prior to expiration of its statutory term except for the separation of legal title stated above.


Applicant and assignee acknowledge that any patent granted on subject patent application serial No. 10/675,371 or any patent subject to reexamination proceedings shall be enforceable only for and during such period that said patent is commonly owned with the patent Application Serial No. 10/259,356, Filed September 27, 2002, which formed the basis for the rejection.

A check in the amount of \$130.00 as the disclaimer fee pursuant to 37 C.F.R. §1.20(d) is enclosed.

The Commissioner is hereby authorized to charge any deficiency in the required fee or to credit any overpayment to Deposit Account No. 23-0920. A duplicate copy of this document is enclosed.

Respectfully submitted,

WELSH & KATZ, LTD.

By: 
James A. Scheer, Esq.
Registration No. 29, 434

Dated: August 21, 2006
WELSH & KATZ, LTD.
Customer No. 24628